

Senate Bill 420

By: Senators Hufstetler of the 52nd, Parent of the 42nd, Albers of the 56th, Goodman of the 8th and Orrock of the 36th

A BILL TO BE ENTITLED  
AN ACT

1 To amend Title 3 of the Official Code of Georgia Annotated, relating to alcoholic beverages,  
2 so as to authorize manufacturers of malt beverages to sell or donate malt beverages they  
3 produce, subject to certain limitations or conditions; to provide for definitions; to impose  
4 certain requirements upon bona fide nonprofit civic organizations that accept donations from  
5 manufacturers of malt beverages; to provide for related matters; to repeal conflicting laws;  
6 and for other purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **SECTION 1.**

9 Title 3 of the Official Code of Georgia Annotated, relating to alcoholic beverages, is  
10 amended by revising Code Section 3-5-24.1, relating to exception to three-tier system,  
11 transfer of liquids, sales at brewer's licensed premises, taxing, regulatory authority, and  
12 conditions or limitations, as follows:

13 "(b) A limited exception to the provisions of this title providing a three-tier system for the  
14 distribution and sale of malt beverages shall exist to the extent that the license to  
15 manufacture malt beverages in this state shall include the right to sell malt beverages to

16 individuals on the brewer's licensed premises for personal use and not for resale, subject to  
17 the following terms and conditions:

18 (1) The brewer may only make sales of malt beverages to an individual while the  
19 individual is physically on the brewer's licensed premises where the brewer produces malt  
20 beverages;

21 (2) The brewer may make sales of malt beverages the brewer produces at the brewer's  
22 licensed premises where the individual is purchasing the malt beverages;

23 (3) As long as the brewer and all of the brewer's licensed premises are under common  
24 ownership, the brewer may make sales of malt beverages the brewer produces at any  
25 licensed premises of the brewer and subsequently transfers in compliance with the  
26 limitations and reporting obligations of subsection (c) of this Code section to the brewer's  
27 licensed premises for sale where the individual is purchasing the malt beverages;

28 (4) The brewer may only make sales of malt beverages for which the brewer is the sole  
29 owner of the brand and brand label;

30 (5) Sales for consumption on the premises are not subject to a daily maximum amount;

31 (6) Sales for consumption off the premises shall ~~not exceed a maximum of 288 ounces~~  
32 ~~of malt beverages per individual per day~~ are not subject to a daily maximum amount; and

33 (7) The maximum amount of malt beverages the brewer may sell pursuant to this  
34 ~~subsection (b) of this Code section~~ in each calendar year shall be 6,000 barrels in the  
35 aggregate among all brewer's licensed premises making such sales."

36 **SECTION 2.**

37 Said title is further amended by adding a new Code section to read as follows:

38 "3-5-6.

39 (a) As used in this Code section, the term:

40 (1) 'Charitable events permit holder' means a bona fide nonprofit civic organization that  
41 has been issued a permit pursuant to Code Section 3-9-3 for the sale of alcoholic  
42 beverages for consumption on the premises.

43 (2) 'Permitted charitable event' means an event for which a permit has been obtained by  
44 a bona fide nonprofit civic organization pursuant to Code Section 3-9-3 authorizing it to  
45 sell alcoholic beverages for consumption on the premises.

46 (b) A brewer or brewpub may directly donate malt beverages it manufactures to a  
47 charitable events permit holder for a permitted charitable event, provided that:

48 (1) The amount of such donation shall not exceed the amount necessary for the permitted  
49 charitable event;

50 (2) Any malt beverages the brewer or brewpub donates that are not used or consumed  
51 during the permitted charitable event shall be returned to the brewer or brewpub within  
52 24 hours of the event closure or the expiration of the charitable event permit, whichever  
53 is later; and

54 (3) The donated malt beverages to be transported to and from the permitted charitable  
55 event shall be transported by the charitable event permit holder or the brewer or brewpub  
56 that made the donation."

57 **SECTION 3.**

58 Said title is further amended by adding a new subsection to Code Section 3-9-3, relating to  
59 issuance of permits for sale by nonprofit civic organizations of alcoholic beverages for  
60 consumption on the premises or wine at retail for off-premises consumption, to read as  
61 follows:

62 "(d) Any bona fide nonprofit civic organization issued a permit pursuant to this Code  
63 section shall comply with the provisions of subsection (b) of Code Section 3-5-6."

64

**SECTION 4.**

65 All laws and parts of laws in conflict with this Act are repealed.